IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

COMPANY APPLICATION (L)882 OF 2004
IN
COMPANY PETITION NO.363 OF 2003

Ahemadnagar Jilha Shramik Sanghatna .. Applicants

And

Official Liquidator, High Court, Mumbai & Anr y564 .. Respondent

Mr.P.M.Parel i/b Ms.B.B.Dholakia for the applicant in support

Ms.K.V.Gautam, Dy.Official Liquidator present

CORAM: S.U.KAMDAR, J

DATE : 11TH MARCH, 2005

P.C.:

. By the present Company Application the order is sought from company court for stay of the operation of the Judgment and Order dated 20.11.2003 passed by the Debt Recovery Tribunal at Aurangabad in Original Application No.94 of 2002 and also stay of the Recovery Certificate issued by the Recovery Officer, Debts Recovery Tribunal Aurangabad. In my opinion, this Court has no jurisdiction to pass any such stay order because of

provisions of the Recovery of Debts due to Banks and Financial Institutions Act 1993. There is no provision under which the said relief can be granted by the company court. In any event no writ jurisdiction can be exercised by this court over DRT. Therefore no such relief as claimed for can be passed. Application dismissed accordingly. No order as to costs.